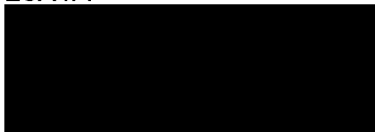


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7 October 1949

Temporary Indefinite Employees

**OGC HAS REVIEWED.**

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Reference is made to the question raised by the Budget Officer concerning the eligibility of temporary indefinite employees to receive periodic within grade pay increases. I have discussed the matter with Mr. Klein, Chief Law Officer of the CSC, who was of the opinion that the matter was not within his jurisdiction and declined to state an opinion believing that the matter came under the jurisdiction of the CSC Classification Division.

Mr. Broderick of that Division also declined to give me any positive statement either way, except to state that under our Schedule A authority we could limit appointments in any way we desired.

At the time we began using the term "temporary indefinite" we had the problem of appointing an employee prior to receiving full security approval. It was necessary, and still is in some instances, to offer him appointment on a temporary basis in order to insure his availability to CIA and to preclude his accepting employment elsewhere.

Time limitations were not placed on these appointments because of the fact that it would be necessary that such an employee receive a lump-sum payment for his accrued annual leave in cases where he moved from another Agency where he was a "permanent employee" as defined in the leave regulations. When, after being appointed in CIA as a temporary employee with a time limitation on his appointment, he received full security clearance it was necessary to again give him a lump-sum payment for his accrued annual leave earned while on a temporary basis.

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memorandum of 22 July 1949 concludes that "temporary indefinite employees" of this Agency are not eligible for within grade salary advancement. It appears that his conclusion is supported by the following opinions of the Comptroller General:

B84497 of 2 May 1949

and

B87225 of 12 July 1949, attached.

Conclusion:

In order to establish a term which will meet the requirements of employment surrounding the hiring of new people without full

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security approval, it is recommended that such employees be given a temporary appointment with a time limitation not to exceed a specified date. The date specified will be based on the estimated time it will take Inspection and Security to complete a full investigation (average at present approximately three months from date of request for full investigation).

When such an employee is hired under this type of appointment he will be told that the appointment is temporary with time limitation. In the event he is coming from another Agency where he was a "permanent employee" he will then receive a lump-sum payment from the previous Agency for accrued annual leave. To my knowledge we have had very few people hired within the past year where this problem arose, as the larger share of those appointed on a temporary basis were those new to the Federal Service and these were assigned to the Personnel Office Pool.

These employees will then not be eligible to receive periodic within grade pay increases while serving under this appointment, however time served under such appointment will be credited towards the waiting period after removal of time limitation and conversion to regular Schedule A appointment without limitation.

It is suggested that we obtain concurrence of the General Counsel, Budget Officer, and Inspection and Security as each of these offices has a direct interest in the matter.

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Attachment

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MISSING PAGE

ORIGINAL DOCUMENT MISSING PAGE(S):

ENCLOSURE